

REMARKS

In the Official Action mailed on **September 13, 2004** the Examiner reviewed Claims 1-45. The disclosure was objected to because of informalities. Claims 1, 16 and 31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Applicant's admitted prior art (hereinafter APA. Claims 2-5, 8-10, 17-20, 23-25, 32-35, and 38-40 were rejected under 35 U.S.C. §103(a) as being unpatentable over APA in view of Sowizral et al. (USPN 6,570,564, hereinafter "Sowizral") and further in view of Brundridge (USPN 6,279,109, hereinafter "Brundridge"). Claims 6-7, 21-22 and 36-37, were rejected under 35 U.S.C. §103(a) as being unpatentable over APA in view of Sowizral and further in view of Brundridge, and further in view of Danforth (USPN 6,085,034, hereinafter "Danforth"). Claims 11-15, 26-30 and 41-45 were rejected under 35 U.S.C. §103(a) as being unpatentable over APA in view of Sowizral and further in view of Brundridge, and further in view of Bak et al. (USPN 6,704,927, hereinafter "Bak").

Objections to the disclosure

The disclosure was objected to because the specification fails to disclose that it claims the priority date (03/15/2001) of application 60/276,409.

Applicant respectfully points out that the priority date (03/15/2001) is stated on page 1, line 21. Applicant has amended paragraph [0002] to add the serial number and filing date of the co-pending non-provisional applications. No new matter has been added.

Rejections under 35 U.S.C. §103(a)

Independent claims 1, 16, and 31 were rejected as being anticipated by APA. Applicant respectfully points out that the present invention augments "the shared runtime data structure representing a shared part of a class with an

initializer field” by setting the initializer field to **indicate an event** that triggered initialization (see paragraph [0034] of the instant application). There is no suggestion in the APA, either express or implied, to augment the shared runtime data structure representing a shared part of a class with an initializer field by setting the initializer field to indicate an event that triggered initialization. Setting the initializer field to indicate an event that triggered initialization allows the dynamic compiler to determine whether the class initialization barrier can be omitted from the native code produced by the dynamic compiler (see paragraph [0014]). Omitting the class initialization barrier from the native code saves processing and memory resources and allows for optimization techniques such as inlining of static methods (see paragraphs [0010] and [0012]).


Accordingly, Applicant has amended independent claims 1, 16, and 31, to clarify that the present invention is directed towards augmenting the shared runtime data structure by setting the initializer field to indicate an event that triggered initialization. These amendments find support in paragraph [0034] of the instant application.

Hence, Applicant respectfully submits that independent claims 1, 16, and 31 as presently amended are in condition for allowance. Applicant also submits that claims 2-15, which depend upon claim 1, claims 17-30, which depend upon claim 16, and claims 32-45, which depend upon claim 31, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

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Date: November 3, 2004

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